IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVISION APPLICATION NO. 73/2002.

1. Satchidananda Sadashiv
Sinai Kakodkar,
(deceased) by legal heirs:-

1a. Smt. Bhavanibai Sinai Cacodkar,
(deceased).

2. Shri Shembhu Kakodkar.

3. Mrs. Shembu Kakakodkar.

4. Shri Mahendra Satchidanand
S. Kakodkar; and his wife;

5. Mrs. Mahendra Kakodkar,
housewife all residing at
Margao, Goa.

6. Dr. Arvinda V.S. Salelkar.

7. Smt. Kanaklata Arind Salelkar,
both of Panaji, Goa.

8. Dr. Satish Bhale,
and his wife;

9. Smt. Sulaksha Satish Bhale,
resident of Panaji, Goa. ... Petitioners.

Versus

1. Megaxama Ramacrisna Sinai
Cacodkar (since deceased)
and his wife:

2. Smt. Manoramabai Megaxama
S. Cacodkar (deceased).

Legal heirs of Respondents
No.1 and 2.

a. Smt. Kundan Ghanashyam Kamat,
and her husband:

b. Shri Ghanashyam Raghuvir Kamat,
both residents of Curchorem, Goa.

c. Smt. Vandan Krishnanath Dhume,
and her husband:

d. Shri Krishnanath Govind Dhume,
both residing at Alto Dabolim,
Goa.

e. Smt. Sehal Shekhar Sukhtankar,
and her husband;

f. Shri Shekhar Sadanand Sinai
Sukhtankar, both residing
at Alto Betim, Porvorim, Goa. ... Respondents.

Mr. P.A. Kholkar, Advocate for the Petitioners.

Mr. A.F. Diniz, Advocate for the Respondents.

**CORAM: A. S. AGUIAR, J.**

DATE: 19TH APRIL, 2002.

ORAL ORDER:

Heard the learned Advocates.

2. This revision application arises from the Order of the Civil Judge Junior Division, Quepem in Regular Civil Suit No.33/83/B partly disallowing the application of the defendants for correction of certain errors in the deposition of the plantiffs' witnesses P.W.7 and P.W.8. Some errors have been permitted to be corrected, while others, rejected. This application is in respect of the order rejecting the application for correcting some of the errors.

3. Learned Advocate for the applicants states that his application for correction of errors in the deposition of P.W.7 at pages 7, 8 and 9 and in the deposition of P.W.8 at pages 9, 10 and 11 has been rejected. Considering the errors in the

deposition of the said two witnesses in the context of the suggestions made in their cross-examination and other circumstances, I am of the opinion that the corrections ought to have been allowed. The reasons given by the learned Trial Judge for rejecting the application for correction of those errors are not germane and without substance. The Application for the said corrections will therefore have to be allowed and the corrections incorporated in the deposition of the said witnesses. The corrections are as under :-

(i) In the deposition of P.W.7 at page 7 the words "whenever used" in the fourth line stand deleted.

(ii) At page 8, line 12, the word "northern" to be substituted by "southern".

(iii) At page 9 after the first word of line 11, the following words may be substituted "of the separated portion to that of rubble stone line".

(iv) At page 9 third line from the bottom the word "legal" to be substituted by the word "medical".

(v) In the deposition of P.W.8 at page 9, second line from the bottom the words "Industrial Estate" to be substituted by "I.T.I."

(vi) At page 10, line 15, after the words "which leads", the words "to Quitem" to be added and the words "by the side of" to be deleted.

(vii) At page 11 tenth line after the words "Sanguem road" the words "is false" are to be added.

4. The aforesaid corrections to be incorporated in the deposition of P.W.7 and P.W.8.

5. With the above order Civil Revision Application to stand disposed of. Civil Application also stands disposed of.

**( A. S. AGUIAR )**
**JUDGE.**

sl.